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 United States of America

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Criminal Case No. 07CR3469-H
)	
Plaintiff,	)	DATE: January 28, 2008
	)	TIME: 2:00 p.m.
v.	)	Before Honorable Marilyn L. Huff
)	
MARIO BARRON-GALVAN,	)	(1) COMPEL DISCOVERY AND
	)	PRESERVE EVIDENCE;
Defendant(s).	)	(2) DISMISS INDICTMENT DUE TO
	)	MISINSTRUCTION OF THE
	)	GRAND JURY;
	)	(3) DISMISS INDICTMENT FOR
	)	FAILURE TO ALLEGE
	)	ESSENTIAL ELEMENTS OF THE
	)	OFFENSE;
	)	(4) TO STRIKE SURPLUSAGE; AND
	)	(5) GRANT LEAVE TO FILE
	)	FURTHER MOTIONS
)	
	)	TOGETHER WITH STATEMENT OF
	)	FACTS AND MEMORANDUM OF
	)	POINTS AND AUTHORITIES

COMES NOW the plaintiff, UNITED STATES OF AMERICA, by and through its counsel,
 Karen P. Hewitt, United States Attorney, and William A. Hall, Jr., Assistant U.S. Attorney, and
 hereby files its Response to Defendant's Motions in the above-referenced case. Said Response is
 based upon the files and records of this case together with the attached statement of facts and
 memorandum of points and authorities.

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2 DATED: January 22, 2008.

3 Respectfully submitted,

4 KAREN P. HEWITT
5 United States Attorney

6 s/ William A. Hall, Jr.
7 WILLIAM A. HALL, JR.
8 Assistant United States Attorney
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